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Attorneys for Defendants JOHN VARVATOS ENTERPRISES, INC.;
JOHN VARVATOS and BLOOMINGDALE'S, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JIM MARSHALL PHOTOGRAPHY LLC,

Plaintiff,

vs.

JOHN VARVATOS, INC., a Delaware
corporation; JOHN VARVATOS, an
individual; and BLOOMINGDALE'S, INC., a
Delaware corporation,
Defendants.

Case No. CV11-6702-DMR

**STIPULATION TO EXTEND DATE
TO FILE AMENDED PLEADINGS;
[PROPOSED] ORDER**

The parties, by and through their counsel, hereby stipulate that the date by which the parties must file their motions to amend pleadings (Plaintiff's Third Amended Complaint and Defendant's Counterclaim) or stipulate to same, the deadline for which is September 28, 2012, be extended ten (10) days to October 8, 2012. The basis of the request is set forth in the accompanying declaration of Lawrence G. Townsend, as required by L.R. 6-2, and is as follows:

1. In order to amend the complaint and add approximately 100 new images

1 identified in discovery, it is necessary to identify additional registrations that may already cover
2 many of the images, along with the filing of any new applications to register.

3
4 2. In order to complete the process, I will need to obtain some additional information
5 from my client who is on vacation outside the country and will not return until the end of
6 September.

7
8 3. I have spoken to opposing counsel, Kit Winter, who is agreeable and who has
9 advised he could use the additional time to submit to me his proposed counterclaim for
10 stipulation prior to the deadline. The parties do expect to stipulate to the amended pleadings and
11 not have to file motions to amend. The trial date in this case is set for July 8, 2013.

12 Accordingly, the parties respectfully request that the deadline by which the parties must
13 file their motion to amend pleadings (Plaintiff's Third Amended Complaint and Defendant's
14 Counterclaim) or stipulate to same, presently set for September 28, 2012 be extended ten (10)
15 days to October 8, 2012.

16 Dated: September 24, 2012

LAW OFFICES OF LAWRENCE G. TOWNSEND

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19 By: /s/ Lawrence G. Townsend

Lawrence G. Townsend

20 Attorneys For Plaintiff JIM MARSHALL
21 PHOTOGRAPHY LLC

22 Dated: September 24, 2012

DYKEMA GOSSETT LLP

23
24
25 By: /s/ S. Christopher Winter

S. Christopher Winter

26 Attorneys For Defendants JOHN VARVATOS
27 ENTERPRISES, INC.; JOHN VARVATOS and
28 BLOOMINGDALE'S, INC.

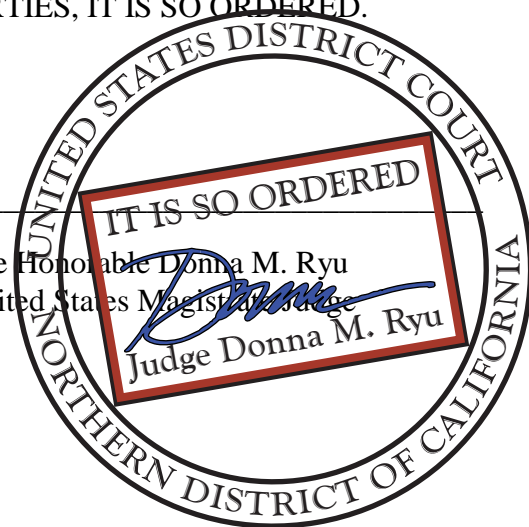
PROPOSED ORDER

PURSUANT TO STIPULATION OF THE PARTIES, IT IS SO ORDERED.

Dated: Sept. 26, 2012

By: _____

The Honorable Donna M. Ryu
United States Magistrate Judge
Donna M. Ryu
Judge Donna M. Ryu



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